

Honorable Robert D. Drain
United States Bankruptcy Judge
Southern District of NY
One Bowling Green
New York, NY 10004-1408

Docket Number 05-44481 (RDD)

Dear Judge Drain,

As a retired Delphi Salaried Employee, I strongly Object to the June 1, 2009 Master Disposition Agreement, Article 9.5.11. This article declares that severance payments will be terminated upon the closing date (emergence date).

I have a legal, enforceable contract entered into during bankruptcy. We certainly have expected it to be fulfilled by Delphi, as it has been fulfilled by us. Severance payments were provided in exchange for a waiver of certain rights via the Release of Claims (severance payments are not a Delphi provided benefit). Here are my points of objection:

- 1) Severance payment entitlement is by contract (Separation Agreement).
- 2) Employees waived certain rights (Release of Claims) to receive severance.
(we provided an item of value to Delphi in exchange for severance payments)
- 3) The contracts were entered into during bankruptcy.
- 4) Severance payments are a contract liability (not a Delphi provided benefit).
- 5) We have a valid / binding / legal contract and we expect it to be honored.

Effective March 1, 2009, my retirement began. I was asked to sign papers on January 5, 2009. My plans were to use severance payments while seeking new employment, to pay college tuition, medical expenses, etc.

Still suffering from benefit termination and pending pension reduction (transfer to PBGC), **I ask that you reject the motion to eliminate severance as promised.**

Thanks,
Kenneth A. Brewer
1006 · Laurelwood
Clinton, MS 39056

To: Saviers, Bob
Subject: RE: My early retirement SAP - Release Of Claims

Dear Bob:

First, I wish you the best in your retirement. Thank you for your 37 years of hard work.

You certainly earned a secure pension, and I can tell you that I continue to focus on protecting pension benefits for all of our retirees. This is increasingly challenging given our turbulent business and economic environment so, unfortunately, I can't make absolute long-term assurances regarding the pension fund. Nonetheless, preserving the pension plans has up to now remained a core part of our intended plan of reorganization.

Regarding the release required for separation pay, it is my understanding that vested pension benefits are not affected by signing the release. Similarly situated retirees receive their vested pension benefits whether or not they sign the release. I can't give you legal advice on this point, so you may want to confirm this with your lawyer, but I know that Delphi does not use the release to eliminate vested benefits. By the way, a side letter to your personnel file would not modify the release language. Our corporate team can address this locally.

I hope I've been responsive to your questions. Again, best wishes in retirement. And I hope you are enjoying this thanksgiving day with family, as I am.

Steve